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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 4:20-mj-70943-MAG
)	
Plaintiff,)	DETENTION ORDER
)	
v.)	
)	
SERGIO LUIZ CRUZ ESPARZA,)	
)	
Defendant.)	

On July 13, 2020, defendant SERGIO LUIZ CRUZ ESPARZA was charged by Criminal Complaint with Distribution of Child Pornography, in violation of Title 18 U.S.C. § 2252(a)(2) and (b)(1).

This matter came before the Court on July 21, 2020, for a detention hearing. The defendant was present and represented by Ruben Munoz, Esq. Assistant United States Attorney Jonathan U. Lee appeared for the government. The government moved for detention, and the defendant opposed. At the hearing, counsel submitted proffers and arguments regarding detention.

Upon consideration of the facts, proffers and arguments presented, and for the reasons stated on the record, the Court finds by clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community. Accordingly, the

1 defendant must be detained pending trial in this matter.

2 The present order supplements the Court's findings and order at the detention hearing and serves
3 as written findings of fact and a statement of reasons as required by Title 18, United States Code,
4 Section 3142(i)(1). As noted on the record, the Court makes the following findings as the basis for its
5 conclusion: the nature and seriousness of the offenses charged, as described in the parties' proffers and
6 the report submitted by Pretrial Services. This finding is made without prejudice to the defendant's right
7 to seek review of defendant's detention, or file a motion for reconsideration if circumstances warrant it.

8 Pursuant to 18 U.S.C. § 3142(i), IT IS ORDERED THAT:

9 1. The defendant be, and hereby is, committed to the custody of the Attorney General for
10 confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving
11 sentences or being held in custody pending appeal;

12 2. The defendant be afforded reasonable opportunity for private consultation with counsel;
13 and

14 3. On order of a court of the United States or on request of an attorney for the government,
15 the person in charge of the corrections facility in which the defendant is confined shall deliver the
16 defendant to an authorized United States Marshal for the purpose of any appearance in connection with a
17 court proceeding.

18 IT IS SO ORDERED.

19 DATED: July 21, 2020

20 
21 HONORABLE SALLIE KIM
22 United States Magistrate Judge
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